

DEP & REF
307

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231, on May 24, 2002.

Clark A. Puntigam
Name

Clark Puntigam
Signature

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08-08-02

²⁹
May 24, 2002
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : S. M. Meginniss III et al
Serial No : 09/316,990
Filed : May 24, 1999
For : APPARATUS AND METHOD FOR
TREATMENT OF XEROSTOMIA

Art Unit: 3764
Examiner: B. Koo
Date : May 23, 2002

Assistant Commissioner of Patents
Attn: John E. Kittle, Director
Groups 3730 and 3760
Washington, D.C. 20231

REQUEST FOR REFUND

Dear Sir:

This is to request a refund of \$920 for a three month extension of time for the above-noted application charged erroneously against deposit account 07-1900.

Enclosed is a copy of the Rescission of Notice of Abandonment, which states in the last paragraph that a three-month extension of time would be charged to Deposit Account No. 07-1900. This charge appeared on our February statement (see copy enclosed).

However, the three-month extension of time fee was included with the Continuation Prosecution Application on October 25, 2001, check No. 5313, a copy of which is enclosed. You will note that the Patent Office did not endorse the check until February 1, 2002, which resulted in a double payment.

Please credit our Deposit Account with \$920. Thank

you for your attention to this matter.

Respectfully submitted,
JENSEN & PUNTIGAM, P.S.

By Clark A. Puntigam
Clark A. Puntigam, #25,763
Attorney for Applicant

CAP:pmv
(206) 448-3200

Enclosures: Copies of Check, Notice, Deposit Account Statement



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

JAN 25 2002

Clark A. Puntigam
Jensen & Puntigam P. S.
1020 United Airlines Bldg
2033 Sixth Avenue
Seattle WA 98121-2584

Paper No.

In re Application of

Stephen M Meginniss et al

Serial No. : 09/316,990

Filed : May 24, 1999

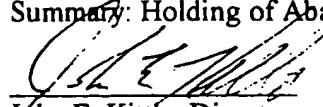
For : Apparatus and Method for Treatment of Xerostomia

SUA SPONTE
RESCISION OF
NOTICE OF
ABANDONMENT

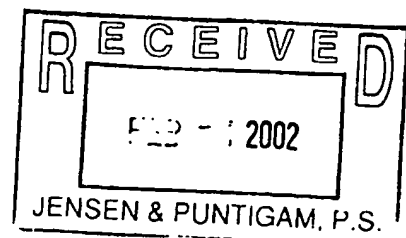
A review of the application reveals that a Notice of Abandonment was mailed to applicant on December 3, 2001 indicating that the application was being abandoned for failure to file a proper response to the Office action mailed April 25, 2001. The abandonment of the application was in error as on October 24, 2001 applicant filed a request for the filing of a Continued Prosecution Application (CPA). Although the request did not specifically request a three-month extension of time, the authorization given in the request for the filing of the CPA to charge any additional fees to Deposit Account No. 07-1900, as well as the authorization given in the Transmittal Letter accompanying the application papers on May 24, 1999 to charge fees under 37 CFR 1.17 will be treated as a constructive petition for a three-month extension of time, which extension is needed in order to make the request for the filing of the CPA timely.

In view of these facts, the abandonment was clearly premature and is hereby rescinded. The application will be forwarded to the Legal Instruments Examiner for the processing of the request for the filing of a CPA filed October 24, 2001. The appropriate fee for a three-month extension of time will be charged to Deposit Account No. 07-1900. Thereafter, the application will be forwarded to the examiner for consideration of the CPA.

Summary: Holding of Abandonment Rescinded.


John E. Kittle, Director
Groups 3730 and 3760
Phone: (703) 308-0873

ak/1/15/02





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your Deposit Account, detach and
return top portion with your check. Make check
payable to Commissioner of Patents & Trademarks.

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Account No.	071900
Date	2-28-02
Page	1

JENSEN & PUNTIGAM, P.S.
ROBERT A. JENSEN
2033 6TH AVENUE
SUITE 1020
SEATTLE WA 98121

FINA

PLEASE SEND REMITTANCES TO:
Patent and Trademark Office
P.O. Box 70541
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5313

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
2	1	02	1	09316990	Philips	217	920.00	134.4600
2	1	02	21	E-REPLENISHMENT		701	-1000.00	865.54
2	5	02	68	PCT/US01/23130	NONE	803	9.00	856.54
2	8	02	15	PCT/US01/14013		191	250.00	606.54
2	8	02	119	5345161		284	35.00	571.54
2	12	02	28	5793595		704	-880.00	1451.54
2	28	02	258	PCT/US01/23128	NONE	803	9.00	1442.54
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*** O.D. INDICATES OVERDRAWN

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Seattle, WA 98104

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Memo:: Philips

Oct 24, 2001 *****\$920.00
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Nine Hundred Twenty and 00/100 Dollars

PAY:

USPTO

Washington, DC 20231

DATE _____

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TO THE
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JENSEN & PUNTIAM, P.S.

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Name

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Serial No : 09/316,990
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For : APPARATUS AND METHOD FOR TREATMENT OF XEROSTOMIA

Art Unit: 3764

Examiner: B. Koo

Date : October 24, 2001

Assistant Commissioner of Patents
BOX FEE - AMENDMENT
Washington, D.C. 20231

REQUEST FOR EXTENSION OF TIME

Dear Sir:

This is to request a three-month extension of time, until **October 25, 2001**, to permit the filing of a continuation prosecution application under 37 CFR 1.53(d). Enclosed is the required fee of \$920. Please charge any additional fees to Deposit Account No. 07-1900.

Respectfully submitted,
JENSEN & PUNTIGAM, P.S.

By Clark A. Puntigam
Clark A. Puntigam, #25,763
Attorney for Applicants

CAP:gh
(206) 448-3200

Enclosures: Check, Postcard